



UNITED STATES PATENT AND TRADEMARK OFFICE

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Anthony C. Tridico
Finnegan, Henderson, Farabow,
Garrett & Dunner, LLP
901 New York Avenue, N.W.
Washington, DC 20001-4413

In Re: Patent Term Extension
Application for
U.S. Patent No. 5,693,326

FILED 7-9 2014

Dear Mr. Tridico:

An interim extension under 35 U.S.C. § 156(e)(2) is enclosed extending the term of U.S. Patent No. 5,693,326 for a period of 1 year. While a courtesy copy of this letter is being forwarded to the Food and Drug Administration (FDA), you should directly correspond with the FDA regarding any required changes to the patent expiration dates set forth in the Patent and Exclusivity Data Appendix of the Orange Book (Approved Drug Products with Therapeutic Equivalence Evaluations) or in the Patent Information set forth in the Green Book (FDA Approved Animal Drug Products). Effective August 18, 2003, patent submissions for publication in the Orange Book and Docket *95S-0117 need to be submitted on form FDA-3542 which may be downloaded from FDA's Electronic Forms Download Website:
<http://www.fda.gov/opacom/morechoices/fdaforms/default.html>
(<http://www.fda.gov/opacom/morechoices/fdaforms/FDA-3542.pdf>).

Inquiries regarding this communication should be directed to the undersigned by telephone at (571) 272-7755, or by e-mail at mary.till@uspto.gov.

Mary C. Till
Senior Legal Advisor
Office of Patent Legal Administration
Office of the Associate Commissioner
for Patent Examination Policy

cc: Office of Regulatory Policy
Food and Drug Administration
10903 New Hampshire Ave., Bldg. 51, Rm. 6284
Silver Spring, MD 20993-0002

RE: MENHIBRIX®
Docket No.: FDA-2012-E-1245

Attention: Beverly Friedman

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Henry Jackson Foundation :
for the Advancement of Military Medicine : ORDER GRANTING
Request for Patent Term Extension : INTERIM EXTENSION
U.S. Patent No. 5,693,326 :

Henry Jackson Foundation for the Advancement of Military Medicine, the owner of record in the United States Patent and Trademark Office (USPTO) of U.S. Patent No. 5,693,326, filed an application for patent term extension under 35 U.S.C. § 156 on August 9, 2012. The original term of the patent is due to expire on July 29, 2014. The patent claims the active ingredient Meningococcal Groups C and Y and Haemophilus b Tetanus Toxoid Conjugate Vaccine in the human biological product MENHIBRIX® which was approved by the Food and Drug Administration for commercial marketing or use on June 14, 2012. An extension of 5 years is requested.

The initial USPTO review of the application to date indicates that the subject patent is eligible for extension of the patent term under 35 U.S.C. § 156. A final determination of the length of the extension of the patent term and issuance of a patent term extension certificate cannot be made until a final determination of the length of the regulatory review period is made. Because the original term of the patent would expire before a certificate of patent term extension can be issued, an interim extension of the patent term is appropriate.

An interim extension under 35 U.S.C. § 156(e)(2) of the term of U.S. Patent No. 5,693,326 is granted for a period of one year from the original expiration date of the patent.

July 2, 2014

Date



Michelle K. Lee
Deputy Under Secretary of Commerce for Intellectual Property and
Deputy Director of the United States Patent and Trademark Office